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In re Application of WIKSWO et al :
U.S. Application No.: 10/510,500 :
PCT Application No.: PCT/US02/24938 :
Int. Filing Date: 06 August 2002 :
Priority Date Claimed: 06 August 2001 :
Attorney Docket No.: 14506-44191 (formerly :
60063.10USWO) :
For: SYSTEM AND METHODS FOR :
DISCRIMINATING AN AGENT :

DECISION

This is in response to applicant's "Petition Under 37 CFR § 1.182" filed 08 April 2004 and "Petition Under 37 C.F.R. § 1.10(e)" filed 23 July 2004.

BACKGROUND

On 06 August 2002, applicant filed international application PCT/US02/24938, which claimed priority of an earlier United States application filed 06 August 2001. The thirty-month period for paying the basic national fee in the United States expired on 06 February 2004.

On 12 January 2004, applicant filed purported national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1) and a Transmittal Letter (Form PTO-1390) which identified the international application number as "PCT/US02/24983".

On 08 April 2004, applicant filed the present petition under 37 CFR 1.182.

On 23 July 2004, applicant filed the present petition under 37 CFR 1.10(e).

DISCUSSION

The purported national stage papers originally filed on 12 January 2004 have been located and placed in the application file.

According to the petition, applicant inadvertently listed the incorrect international application number on the transmittal letter. A review of the application file reveals that the papers accompanying the transmittal letter listed international application Number PCT/US02/24838. Furthermore, the transmittal letter listed the title of invention associated with international application number PCT/US02/24838. Thus, it is reasonable to conclude that applicant intended to file national stage papers based on international application number PCT/US02/24838.

CONCLUSION

For the reasons above, the petition under 37 CFR 1.182 is GRANTED.

The petition under 37 CFR 1.10(e) is DISMISSED AS MOOT.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision, including preparation and mailing of a Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that a properly executed oath or declaration in compliance with 37 CFR 1.497 must be filed.



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